

BOARD OF CERTIFICATION OF OPERATORS OF WASTEWATER TREATMENT FACILITIES

Meeting Minutes: January 6, 2010

Members in Attendance: Fred Kurdziel, Frank McLynch, Dr. Gene Park, Bill Patenaude, Jon Schock and Tom White

**Others in Attendance: Traci Pena and Marissa Desautel – DEM
Matt Calderiso and David Ramos – Bristol Sewer Commission**

The January 6, 2010 meeting was called to order at 9:30 a.m. The first order of business was a matter under operator enforcement. Individuals were requested to submit affidavits regarding the accuracy of information presented to the Board as part of a certification application. Mr. Patenaude distributed the material to Board members. Mr. Patenaude noted his opinion that the information provided met the Board's expectations. Attorney Desautel reminded the Board that an affidavit is sworn evidence to determine factual details. Discussion and questions ensued related to the affidavits.

After said discussion, Mr. Patenaude made a motion to accept the affidavits, continue the matter and take no further enforcement action pending the review for consistency of available records and minutes. Mr. Schock seconded the motion. All other members present voted in favor, as such the motion passed.

After the motion Board members discussed if there should be any revision of the individual's previous application approval, which may require additional experience for full licensure. Mr. Schock was concerned that the Board had issued a license to an individual under the pretense that s/he could work an appropriate percentage of time at any facility in Rhode Island; he noted that in other instances, applicants were expected to work at least 50% of their time in operations. Mr. Patenaude noted that that 50% value was first used in reviews of applications from process monitoring staff at the Narragansett Bay Commission. Furthermore, he noted that the Board was in need of balancing applicant experience, etc., with assisting the staffing needs of communities. Regardless of such concerns, attorney Desautel stated the Board could not revoke or "demote" a license, i.e., undo the granting of a full license, once it had been formally issued.

Mr. Patenaude noted that this specific matter had raised the general question related to overall operator experience requirements, which would require additional discussion.

Mr. Patenaude motioned to table the matter of minimum operator experience requirements. Mr. Kurdziel seconded the motion. All other members voted in favor, as such the motion passed.

The next agenda item was the fall 2009 exams. Mr. Patenaude noted that while Grade 3 examinees did very well, a review of their exam

paperwork showed that some did not attempt to answer some or all of the math questions on the exam. Mr. Patenaude suggested that in the future examinees be required to correctly answer a certain percentage of math questions; Dr. Park advised that merely adding more mathematics to the exam would ensure that the examinee was proficient in math.

Mr. Patenaude motioned to expand math testing by including mathematics in at least 10 existing questions on the Grades 3 and 4 exams. Mr. White seconded the motion; all members present voted in favor, as such the motion passed.

The next item was the review of the draft November 2009 meeting minutes.

Mr. Schock motioned to approve the November 2009 meeting minutes. Mr. White seconded the motion. All other members present voted in favor, as such the motion passed.

The next agenda item discussed was Regulation revisions. Mr. Patenaude proposed a training requirement model based on input from operators and the Board. The premise was introduced at a superintendent's conference, where it was met with a generally positive response. The model would require superintendents to submit a training plan (which is already a requirement of the O&M regulations); the plan would be required to be approved by the Board.

While this plan would include the provision that superintendents sign off on training requirements for operators at the time of renewal, they would not be liable if an operator does not get the required training. Attaining training would be the responsibility of the licensee. The mandatory retraining requirement would not apply to operators with Grade 1 operator in training status, as technically they are already in a period of training. Trainers would also get credit for training. The Board discussed the best method to ensure compliance for license holders who are not employed at facilities. Based on Board input, Mr. Patenaude will work with legal, make edits and provide a second draft at the next meeting.

The next item was Operator applications. Mr. David Gaipo, currently employed by United Water and working a portion of his time at the Westerly WWTF, and now is a potential candidate for superintendent at the East Providence WWTF, had submitted a preliminary application request for Grade 4 license through reciprocity. Mr. Gaipo holds a Grade 7 in Massachusetts via examination, which is equivalent to Rhode Island's Grade 4. Mr. Schock interpreted the Regulations to state that an individual has to work at a Grade 4 facility to attain Grade 4 licensure for the purposes of attaining a superintendent's position at a Grade 4 facility; the Westerly facility is rated a Grade 3. Mr. Patenaude questioned that interpretation. Mr. Kurdziel noted his agreement with Mr. Schock. After some discussion Mr. Patenaude noted that this request did not require definitive action at present, as there was no formal request by the City of East

Providence for Mr. Gaipo's licensure. In addition, Messrs. McLynch and White noted that due to past or existing relations with Mr. Gaipo they would abstain from any discussion and voting on this matter.

With no further business, Mr. Patenaude motioned to adjourn the meeting. Dr. Park seconded the motion. All other members present voted in favor, and as such, the motion passed.

The next meeting is scheduled for Wednesday, February 3, 2010 at 9:30 a.m. at the RIDEM Office located at 235 Promenade St., Providence, RI.